

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:	§	
	§	
SHAKIR’S INTERNATIONAL, LLC.	§	CASE NO. 14-32582-H1-7
	§	(CHAPTER 7)
	§	JUDGE ISGUR
<hr/>		
RODNEY TOW, TRUSTEE	§	
Plaintiff,	§	ADVERSARY NO. 15-3239
	§	
v.	§	
	§	
MUNIRA SHAKIR	§	
Defendant,	§	

MOTION OF GAGAN KHAN, ESQ. TO WITHDRAW AS
ATTORNEY FOR MUNIRA SHAKIR

COMES NOW Gagan Khan (“Attorney” herein), who respectfully ask this court to allow them to withdraw as attorney for Munira Shakir, Defendant in this case.

A. Introduction

1. Plaintiff is Rodney Tow; Defendant is Munira Shakir.
2. Plaintiff sued Defendants for Fraudulent Transfer Pursuant to 11 U.S.C § 548(A)(1)(B); Fraudulent Transfer Pursuant to 11 U.S.C §544(B); Unjust Enrichment and; Recovery of Avoided Transfers Under 11 U.S.C § 550. The Complaint was filed on October 1, 2015.

B. Facts

3. Plaintiff filed the above numbered case against Defendant in October of 2015.
4. On November 09, 2015, Defendant filed her original answer in this Court.
5. Defendant employed Attorney on October 30 of 2015 to represent her in the above captioned suit.

6. Attorney represented Plaintiff actively until March 28, 2015, when Defendant and Attorney came to loggerheads on how to proceed in this matter. Defendant paid attorney a retainer and attorney billed Defendant at an hourly rate. In March 2016, Defendant informed attorney that she will no longer be able to afford payments to the attorney, at which time Defendant and Attorney came to an agreement that the retainer paid will cover the Defendant until the next hearing. At that time, the next hearing was the Trial on Solvency, scheduled for March 23, 2016.

Thereafter, Plaintiff filed this Court for a Motion to Compel, as Defendant had not delivered all discovery material that had been requested in this Court's order. This resulted in the Plaintiff filing a Motion to Compel discovery and a hearing to be scheduled for March 15, 2016 at 2:00 pm in front of the Honorable Judge Isgur.

Attorney and Defendant have not been able to come to an agreement on the fee and on the proceeding since the hearing. Attorney can no longer represent Defendant in this matter because Defendant and Attorney have fundamental disagreements on the proceedings in this matter which make representation by Attorney impossible. Attorney gave Plaintiff notice of his intent to move to withdraw from this case by certified mail with return receipt requested and by regular mail. All case deadlines and events have been communicated to Defendant.

C. Argument & Authorities

7. There is good cause, as required by, for this court to grant the motion to withdraw because Defendant and Attorney have a fundamental disagreement about the proceedings in this case that cannot be resolved. This has caused a breakdown in communication between Attorney

and Defendant. Because of this conflict with Defendant, Attorney cannot adequately represent her.

8. Attorney has delivered a copy of this motion to Defendant and has notified her in writing, by certified mail with return receipt, and by regular mail.

9. Defendant is opposed to the Attorney's Motion to Withdraw, as Defendant wishes attorney disclose information that is protected under the attorney client privilege in this matter. In an effort to preserve the attorney client confidentiality and attorney client privilege, attorney has decided not to disclose inform

10. Defendant's last known address is 1606 Vivian Point Lane, Houston, TX 77433.

11. Allowing Gagan Khan to withdraw as attorney for Defendant will not delay these proceedings. Defendant has communicated her opposition to this motion. No substitute attorney has yet been selected by Defendant. Attorney's withdrawal will not delay the adjudication of this case, as the applicable deadlines are months away and Defendant will have sufficient time to find a new attorney.

12. The following is a list of all pending settings and deadlines in this case: trial set for March 23, 2016 has been cancelled and left to be rescheduled at a later date; the next hearing is scheduled for April 28, 2016 at 2:00 pm.

D. Conclusion

13. Therefore, as Defendant and Attorney cannot agree on how to proceed in this matter, which prevented Attorney from adequately representing Defendants, this court should grant Attorneys motion to withdraw.

E. Prayer

14. For these reasons, Gagan Khan, Esq. asks this court to grant his motion to withdraw as attorney for Munira Shakir.

Respectfully submitted



GAGAN KHAN
SBN: 24090207
The G.Khan Law Firm
PO Box 218175
Houston, TX 77218-8175
Ph; 832.930.1529
Fax: 281.790.6824
gagankhan@gkhanlawfirm.com
ATTORNEY FOR DEFENDANT

CERTIFICATE OF CONFERENCE

I certify that I notified Charles Long, who is unopposed to this motion.



Gagan Khan

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document and order, if applicable, has been forwarded to all counsel of record by e-filing and/or facsimile this day

THERESA D. MOBLEY
CAGE, HILL & NIEHAUS, L.L.P.
5851 SAN FELIPE, SUITE 950
HOUSTON, TEXAS 77057
MAIN: 713.789.0500
DIRECT: 713.789.3597
FAX: 713.974.0344

By Fax this 30th day of March, 2016.

I hereby certify that I served a copy of the foregoing Motion to Withdraw as Counsel for Munira Shakir on Munira Shakir at:

Munira Shakir
1606 Vivian Point Lane
Houston, Texas 77433

By certified mail with return receipt requested, and by regular mail.



Gagan Khan